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Civil Enforcement Case Report

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Civil Enforcement Case

Basic Information

Case Number: 06-2000-0910**Case Name:** BP/AMOCO CORPORATION - TEXAS CITY REFINERY**Case Category:** Judicial**Case Status (as of 04/01/2016):** Final Order Entered**Case Lead:** EPA**Court Docket Number:** 2:96CV095RL**DOJ Docket Number:** 90-5-2-1-08741/1**Relief Sought:** Injunctive Relief, Penalty**Enforcement Outcome:** Final Order With Penalty**Headquarters Division:** AIR**Branch:** 6RC-E**Result of Voluntary Disclosure?** No**Multi-media Case?** No**Enforcement Type:** Civil Judicial Action**Violations:** Prevention Of Significant Deterioration, National Emission Standard For Hazardous Air Pollutant, UST Leak Detection And Repair

Penalties – Case Level

Total Federal Penalty Assessed or Agreed To: \$3,450,000**Total State/Local Penalty Assessed:** \$0**Total SEP Cost:** \$0**Total Compliance Action Cost:** \$338,001,000**Total Cost Recovery:** \$0

Case Summary

1. SECTION 113 OF THE CLEAN AIR ACT (CAA), 42 U.S.C. SECTION 7413. 2. BP/AMOCO CORP. - TEXAS CITY REFINERY 2401 5TH AVENUE S TEXAS CITY, GALVESTON COUNTY, TEXAS 77590 3. RESPONDENT WAS IN VIOLATION OF SECTIONS 112 AND 165 OF THE CAA BY VIOLATIONS INVOLVING REFINERY EXPANSION IN 1980-81, A REFORMER EXPANSION IN 1980, AND INCREASES IN CAPACITY DURING 1988-91 AND 1997-99. 4. RELIEF SOUGHT PURSUANT TO SECTION 113 OF THE CAA, EPA SUBMITTED A DIRECT REFERRAL TO DOJ REQUESTING PROSECUTORIAL ASSISTANCE FOR CIVIL VIOLATIONS ACTIONABLE UNDER SECTION 113 OF THE CAA AGAINST THE RESPONDENT. EPA IS SEEKING CIVIL PENALTIES AND INJUNCTIVE RELIEF. On November 4, 2013, the Court entered the Ninth Amendment to the Refinery Initiative Consent Decree in this matter. The Ninth Amendment transfers the Consent Decree's obligations for the Texas City

Refinery from BP Products to Blanchard Refining Company LLC, a wholly owned subsidiary of Marathon Petroleum Company. Blanchard recently purchased the refinery. The Ninth Amendment requires Blanchard to perform approximately \$190 million in corrective actions to fix Clean Air Act and RCRA violations that BP committed at the refinery before it was sold. BP must pay a penalty of \$950,000. On April 1, the Court entered our modification of the Ninth Amendment to BPs 2001 refinery initiative consent decree. The modification extends several of the Ninth Amendment's deadlines for completing work to upgrade the Texas City refinery's wastewater treatment system. Blanchard (a subsidiary of Marathon) bought the refinery from BP in 2013 and agreed to undertake a variety of projects to fix historical RCRA and Clean Air Act NSPS QQQ compliance issues involving the wastewater treatment system. However, Blanchard encountered circumstances that it asserts amount to force majeure and, therefore, requested an extension of time.

Laws and Sections

Law	Sections	Programs
CAA	111, 112, 165	Hazardous Air Pollutants, New Source Performance Standards, Prevention of Significant Deterioration (PSD)
RCRA	3008H	Interim Status Corrective Action Order

Citations

Title	Part	Section
40CFR	52	2

Facilities

FRS Number	Facility Name	Address	City Name	State	Zip	SIC Codes	NAIC Codes
110059763536	BP AMOCO CORP TEXAS CITY REFINERY	2401 5TH AVE S	TEXAS CITY	TX	77590	2911 5541	447190
110059763536	BLANCHARD REFINING GALVESTON BAY REFINERY	2401 5TH AVE S	TEXAS CITY	TX	77590	2911 5541	447190

Defendants

Defendants and Settlements	In Complaint	In Settlement
BP Products North America, Inc.	N	Y
BP/AMOCO CORPORATION	Y	Y
Blanchard Refining Company LLC	N	Y

Case Milestones

Event	Actual Date
Referred To Dept Of Justice	06/30/2000
Enforcement Action Data Entered	07/07/2000
Complaint Filed With Court	01/18/2001
Supplemental Referral-Adding parties, counts	05/23/2013
Final Order Lodged	04/01/2016
Final Order Entered	04/01/2016

Pollutants

Pollutant Name	Chemical Abstract Number
VOC	--

Related Activities

Description	Actual Date
Case File	--
Case File	--

Final Order 1**Final Order Type:** Consent Decree or Court Order Resolving a Civil Judicial Action**Final Order Name:** BP/AMOCO CORPORATION - TEXAS CITY REFINERY**Linked Facilities (FRS ID):** 110059763536**Final Order Lodged Date:** 01/18/2001**Final Order Entered Date:** 08/29/2001**Enforcement Action Closed Date:** --**Actual Termination Date:** --**Penalties/SEPs/Cost Recovery Amounts****Federal Penalty Assessed or Agreed To:** \$2,500,000**State/Local Penalty Assessed:** --**SEP Value:** --**Federal Cost Recovery Awarded:** \$0**Complying Actions**

Complying Action ID	Category	Description
1800016437	Facility/Site Management or Information Practice	Migrated Auditing
2600044948	Facility/Site Management or Information Practice	Migrated Environmental Management Review
2600044949	Facility/Site Management or Information Practice	Migrated Monitoring
2600044950	Facility/Site Management or Information Practice	Migrated Permit Application
2600044951	Facility/Site Management or Information Practice	Migrated Recordkeeping
2600044952	Facility/Site Management or Information Practice	Migrated Reporting
2600044953	Facility/Site Management or Information Practice	Migrated Testing/Sampling
2600044954	Facility/Site Management or Information Practice	Migrated Training
2600072454	Direct Environmental Reduction	Migrated Emission/Discharge Change (Install/Modify Controls)

Complying Action ID	Category	Description
2600072456	Direct Environmental Reduction	Migrated Industrial/Municipal Process Change (Includes Flow Reduction)
2600821430	Direct Environmental Reduction	Migrated Data (Direct)

Supplemental Environmental Projects

SEP ID	Category	SEP Value	Description
No data records returned			

Pollutant Reductions

Resulting From	Pollutant	Annual Amount	Units	Media Affected
CA ID 2600821430	Nitrogen oxides [NO ₂ + NO, expressed as the molecular wgt of NO ₂]	5,900,000	PND SYR	Air
CA ID 2600821430	Sulfur dioxide	7,000,000	PND SYR	Air
CA ID 2600821430	Sulfur dioxide	7,000,000	PND SYR	Air
CA ID 2600821430	Nitrogen oxides [NO ₂ + NO, expressed as the molecular wgt of NO ₂]	5,900,000	PND SYR	Air

LAST UPDATED ON MAY 17, 2017

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